[24th January 1928

Local Boards

Acquisition of lands for reconstructing a road through Maringapatti, Tiruppattur taluk.

* 1360 Q.—Mr. S. Arpudaswami Udayar: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that one M. R. M. V. C. Karuppan Chettiyar of Kallal attempted to lay a road right across the fields of the residents of Maringapatti village, Tiruppattur taluk, Ramnad district;

(b) whether it is a fact that there is an old road 'Mangammal Salai' with avenue trees, watershed and semathangi close by the new projected road;

(c) whether it is a fact that the ryots affected by this measure filed a suit O.S. No. 338 of 1921 in the Sivaganga District Munsif's Court and obtained an order of injunction restraining the said Chettiyar from proceeding further with the work;

(d) whether the lands were acquired for the formation of the road through the District Collector of Ramnad;

(e) whether the District Board of Ramnad or the Taluk Board of Devakottai were consulted in the matter; and

(f) whether on appeal to the High Court the acquisition was set aside as not being valid on the ground that the legislature when they passed the Land Acquisition Act did not intend that the owners should be deprived of their ownership by a mere device of private persons employing the Act for private end or for the gratification of private spite or malice?

A.—(a) Yes. The road has already been formed.

(b) & (c) Yes.

(d) The lands were acquired by the Government under the Land Acquisition Act.

(e) No, as it was agreed originally that the road, after formation, was to vest in Government, and the Estate Collector, Sivaganga, was to maintain it.

(f) The question quotes an *obiter dictum* in the judgment of the Court. The reason for the setting aside of the acquisition proceedings was that the cost of acquisition was not met from Government funds.

Mr. S. Arpudaswami Udayar:—"With reference to the answer to clause (a) whether it is a fact that an attempt was made to lay a road, etc., the answer given is 'Yes. The road has already been formed.' May I ask the hon. the Minister for Local Self-Government to tell us whether the road has been fully formed or only preparations have been made for the construction of the road?"

The hon. Dr. P. Subbarayan:—"The road has been fully laid out."

Petition regarding the acquisition of lands for Kallal-Managiri road.

* 1361 Q.—Mr. S. Arpudaswami Udayar: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the residents of Maringapatti village, Tiruppattur taluk, Ramnad district, submitted a petition to the President, District Board, Ramnad, on 22nd December 1921, asking whether there was any proposal